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16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA

18 In re: TEXTAINER PARTNERSHIP) Master File No.
19 SECURITIES LITIGATION) C 05-00969 MMC
20)
21) NOTICE OF VOLUNTARY
22) DISMISSAL WITHOUT
23) PREJUDICE ; ORDER DISMISSING
24) CASE NO. C-05-1146 ONLY
25)
26)
27)
28)

This Document Relates To:
No. C 05-1146 MMC (Gordon)

1 PLEASE TAKE NOTICE that, pursuant to Rule 41(a) of the Federal Rules of Civil
2 Procedure, plaintiff, Alan P. Gordon, hereby dismisses this action (No. 05-1146) without
3 prejudice. Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, Court approval of this
4 dismissal is not required, as this is not a voluntary dismissal of the claims of a certified class. *See*
5 Fed. R. Civ. P. 23(e)(1)(A); *see also* Fed. R. Civ. P. advisory committee's note (2003) ("The new
6 rule requires approval only if the claims, issues or defenses of a certified class are resolved by a
7 settlement, voluntary dismissal, or compromise.").

8 Dated: October 6, 2005

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25 Dated: October 11, 2005

